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| To: | Mr. Wayne A. Langel |
| Organization: | The United States Patent and Trademark Office |
| Facsimile No.: | (571) 272-1353 703-872-9806 |
| From: | Michael A. Miller |
| Date: | February 19, 2004 |
| Our File No.: | 16-080 |
| No. of pages: (including this cover pg.) | 23 |

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PATENT
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In re application of: Cooper, John J.
Serial No.: 10/031,501
Filed: January 15, 2002
Title: METHOD OF PRODUCING SURGICAL GRADE CALCIUM
SULPHATE
Docket No.: 16-080
Art Unit: 1754
Examiner: Wayne A. Langel

Watts, Hoffmann, Fisher & Heinke Co., L.P.A.
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MS-Amendment
Commissioner for Patents
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Alexandria, VA 22313-1450

INTERVIEW SUMMARY

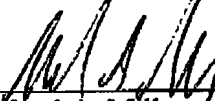
The undersigned would like to thank Examiner Langel for his time discussing the present case on February 19, 2004. The undersigned raised an issue as to the Examiner's statement that there is no support in the specification for the feature in amended claim 1 that "rehydrating the calcium sulphate anhydrite by immersing in any one of water and a salt solution where the concentration of salt in solution is less than 1%." The undersigned directed the Examiner's attention to the cited portions of the International Application where it states that "rehydration may take place in water or a dilute salt solution. The salt solution may comprise succinic acid or a potassium sulphate solution, with a concentration of less than 1% and desirably substantially 0.1%."

Upon reconsideration the Examiner stated that he would withdraw that portion of the rejection as raising new matter if an argument was made that one of ordinary skill in the art would ascertain that rehydration can take place in water or a dilute salt solution where a dilute salt solution may comprise a solution having a concentration of salt that is

less than 1%. The argument is based on the example in the specification relating to succinic acid or potassium sulphate solution having a concentration of less than 1%, defining what a dilute salt concentration entails. Based on this portion of the specification, one of ordinary skill in the art would recognize that rehydration may take place in a dilute salt solution where the concentration of salt is less than 1%.

Date: 2/19/04

Respectfully submitted,



Michael A. Miller
Reg. No.: 50,732